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Honorable Lonny R. Suko

Attorneys for Defendant  
Commonwealth Marketing Group, Inc.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

JAMES S. GORDON, JR., a  
Washington resident,

Plaintiff,

v.

COMMONWEALTH MARKETING  
GROUP, INC., a Pennsylvania  
corporation; and JOHN DOES 1-10,

Defendants,

v.

IMG ASSOCIATES LLC, a Georgia  
limited liability company,

Third Party  
Defendant.

Case No. CV-08-5074-LRS

**MEMORANDUM IN SUPPORT OF  
COMMONWEALTH'S MOTION  
TO REGISTER JUDGMENT IN  
ANOTHER DISTRICT**

**I. INTRODUCTION**

The Court entered summary judgment against Third Party Defendant IMG Associates LLC for its breach of its duty to defend Third Party Plaintiff

MEMORANDUM IN SUPPORT OF MOTION TO  
REGISTER JUDGMENT IN ANOTHER  
DISTRICT: CV-08-5074-LRS- 1

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1 Commonwealth Marketing Group, Inc. against Plaintiff James S. Gordon, Jr.'s  
2 claims. IMG has appealed the Court's decision. Because IMG's principal place of  
3 business is located in the State of Georgia, and IMG has no assets located in the  
4 State of Washington, Commonwealth respectfully requests that the Court find that  
5 good cause exists to register its judgment in the State of Georgia, and order the  
6 Clerk of the Court to so certify.

## 7 **II. EVIDENCE RELIED UPON**

8 This Motion relies on the Declaration of Amit Ranade in Support of Motion  
9 for Summary Judgment ("Ranade Dec."), with exhibits.

## 10 **III. STATEMENT OF FACTS**

11 The Court entered summary judgment against IMG on Commonwealth's  
12 third party complaint against IMG. (Ord. Granting CMG's Mot. for Sum. Judg.,  
13 ECF No. 134; Judg. in a Civil Case, ECF No. 135.) IMG has appealed the Court's  
14 decision, but it has not moved to stay enforcement of the Court's judgment. (*See*  
15 Notice of Appeal, ECF No. 136.) Commonwealth has been unable to locate any  
16 assets owned by IMG in the State of Washington that may be used to satisfy the  
17 Court's judgment. Ranade Dec. ¶ 2. However, IMG's principal place of business is  
18 located in the State of Georgia, and to the best of Commonwealth's knowledge,  
19 IMG has assets within the State of Georgia that may be used to satisfy the Court's  
20 judgment. *Id.*

## 21 **IV. AUTHORITY AND ARGUMENT**

22 A district court has authority, after entering judgment, to grant a motion for  
23 immediate registration of its judgment in another district for "good cause." 28  
24 U.S.C. § 1963; *see also Pacific Reinsurance Mgmt. Corp. v. Fabe*, 929 F.2d 1215,  
25 1218 (7th Cir. 1991). "Good cause" exists when the judgment debtor has  
26 insufficient assets within the rendering district to satisfy the judgment, but has

1 assets located in the proposed registration district. *Columbia Picture Television,*  
 2 *Inc. v. Krypton Broad. of Birmingham, Inc.*, 259 F.3d 1186, 1197-98 (9th Cir.  
 3 2001).

4 Here, Commonwealth has been unable to locate any assets owned by IMG in  
 5 the State of Washington. However, IMG's principal place of business is located in  
 6 the State of Georgia, and to the best of Commonwealth's knowledge, IMG has  
 7 assets within the State of Georgia that may be used to satisfy the Court's judgment.  
 8 The Court should therefore enter an order finding that good cause exists such that  
 9 its judgment may be registered in the State of Georgia, and order the Clerk of the  
 10 Court to so certify to facilitate registration.

#### 11 V. CONCLUSION

12 For the reasons set forth above, the Court should authorize immediate  
 13 registration of its judgment in the State of Georgia.

14 DATED this 9th day of November, 2011.

15 HILLIS CLARK MARTIN & PETERSON P.S.

16 By s/Amit D. Ranade

17 Amit D. Ranade, WSBA #34878

18 Alexander M. Wu, WSBA #40649

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25 Attorneys for Third Party Plaintiff

26 Commonwealth Marketing Group, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of November, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system; and mailed a copy to Plaintiff as follows:

James S. Gordon, Jr.  
9804 Buckingham Drive  
Pasco, WA 99301

DATED this 9th day of November, 2011 at Seattle, Washington.

s/ Amit D. Ranade

Amit D. Ranade, WSBA #34878

ND: 19630.003 4822-9337-3709v2